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<b>CERTIFICATE OF MAILING</b> 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below:	
6-11-02 Date	<i>Elizabeth Arey</i> Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PENNER, Greg A.  
BLEDIG, Stefan A.  
CONNER, Timothy W.

Serial No.: 10 / 071,272

Filed: February 8, 2002

For: Identification of Seeds or Plants Using  
Phenotypic Markers



Group Art Unit: 1638

Examiner: *McElwain*

Atty. Dkt. No.: 11898.0021.NPUS00  
(MOBS:021)

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11898.0021.NPUS00.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,



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Date: June 10, 2002

Form PTO-1449 (modified)

Atty. Docket No.

11898.0021.NPUS00

Serial No.

10 / 071,272

## List of Patents and Publications for Applicant's

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Applicant  
PENNER, Greg A., et al.COPY OF PAPERS  
ORIGINALLY FILED

## U.S. Patent Documents

See Page 1

## Foreign Patent Documents

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## Other Art

See Page 1

**U.S. Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date f App.
	A1	4,627,192	Dec. 9, 1986	Fick	47	58	
	A2	B1 4,627,192	Oct. 17, 1995	Fick	47	58	
	A3	5,859,349	Jan. 12, 1999	Raque	800	250	
	A4	5,994,621	Nov. 30, 1999	Raque	800	250	
	A5	6,046,385	Apr. 4, 2000	Davis	800	312	
	A6	6,008,437	Dec. 28, 1999	Krebbers, et al.	800	303	

**Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1						
	B2						
	B3						
	B4						

**Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

Exam. Init.	Ref. Des.	Citation
	C1	
	C2	
	C3	
	C4	
	C5	
	C6	
	C7	

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

**INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)**